

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 3461 - SB 3405**

March 12, 2012

**SUMMARY OF BILL:** Removes liability of any employee or agent of an employer who has been found to have committed discriminatory practices as specified in Tenn. Code Ann. § 4-21-301. Removes current violation which prohibits any person or persons from aiding, abetting, inciting, compelling or commanding another person to engage in discriminatory practices as specified in Tenn. Code Ann. § 4-21-301.

**ESTIMATED FISCAL IMPACT:**

**Decrease State Revenue - \$40,200/Human Rights Commission**

**Decrease Federal Expenditures - \$40,200**

**Assumptions:**

- According to the Human Rights Commission (HRC), this will reduce the number of cases the Commission will need to investigate.
- According to HRC, the proposed legislation will subsequently result in a reduction in the amount of federal funds currently received from the Equal Employment Opportunity Commission (EEOC) and the U.S. Housing and Urban Development (HUD).
- Such funds are received as reimbursements for either retaliation claims or housing claims.
- In FY10-11, a total of \$18,200 in federal funding was received from HUD for investigating housing claims. HRC estimates that it would lose all of these funds.
- HRC did not track the number of retaliation cases handled in FY10-11.
- According to HRC, the number of retaliation cases that would be reduced is unknown.
- On average, HRC receives \$75,700 in federal funds from EEOC for retaliation claims it handles.
- According to HRC, an exact decrease in the amount of federal funding due to a reduction in retaliation claims cannot be determined. The Commission estimates that such reduction will be at least 29 percent, or approximately \$21,953 (\$75,700 x 29.0%) in federal funds.
- The decrease in federal expenditures and the corresponding decrease in state revenue is estimated to be \$40,153 (\$18,200 + \$21,953).

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read 'Lucian D. Geise', written in a cursive style.

Lucian D. Geise, Executive Director

/jdb